

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Steven E. ROKITA, et al.

Application No.: 10/019,655

I.A. Filing Date: July 3, 2000

Art Unit: To Be Assigned

Examiner: To Be Assigned

Docket No.: 55859-024

For: NICKEL-BASED REAGENTS FOR DETECTING DNA AND DNA-PROTEIN
CONTACTS

INFORMATION DISCLOSURE STATEMENT

Honorable Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO-1449. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence. Applicant(s) respectfully request(s) that the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counter-part foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☐ c. Please charge the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 13-0203 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 13-0203 in the amount of \$130.00 for payment of the petition fee. Please credit or debit Deposit Account No. 13-0203 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☐ 4. Relevance of the non-English language reference(s) is discussed in the present specification.

☒ 5. Some of the reference(s) was/were cited in a counterpart foreign or PCT application. For the Examiner's information, attached is an English language version of the search report. The search report explains the relevance of any non-English language reference(s) cited on the attached PTO-1449.

Please grant any extension of time deemed necessary for entry of this communication. Please charge any deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-0417.

Respectfully submitted,

Date: August 6, 2002

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(PTO-1449)

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 SERIAL NO.
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U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
-	5,258,492	11/02/93	Schally et al.			
-	5,268,371	12/07/93	Mauclaire et al.			
-	5,272,056	12/21/93	Burrows et al.			
-	5,595,726	01/21/97	Magda et al.			
-	6,004,530	12/21/99	Sagner et al.			
-	6,087,493	07/11/00	Wheelhouse et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
-	3-38587	02/19/91	JP (Dojindo Laboratories)				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

-	Routier et al. Highly Preferential Cleavage of Unpaired Guanines in DNA by A Functionalized Salen-Nickel Complex, Bioorganic & Medicinal Chemistry Letters. 1997, Vol. 7 No. 1 p.63-66.
-	Woodson, et al. A primer extension assay for modification of guanine by Ni(II) complexes. Nucleic Acid Research. 1993, Vol. 21 No. 23 p. 5524-5525
-	Brown, et al. Highly Specific Oxidative Cross-Linking of Proteins Mediated by a Nickel-Peptide Complex. Biochemistry 1995, 34, 4733-4739.
-	Shearer et al. Diamine Preparation for Synthesis of a Water Soluble Ni(II) Salen Complex. Bioorganic & Medicinal Chemistry Letters 9 (1999) 501-504.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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						Yes	No

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

✓	Liang et al. Ni(II).Xaa-Xaa-His Induced DNA Cleavage: Deoxyribose Modification by a Common "Activated" Intermediate Derived from KHSO ₅ , MMPP, or H ₂ O ₂ , J. Am. Chem. Soc. 1998, 120, 248-257.
✓	Routier, et al. Synthesis, DNA Binding, and Cleaving Properties of an Ellipticine-Salen-Copper Conjugate. Bioconjugate Chem. 1997, 8, 789-792.
✓	Bhattacharya et al. Ambient Oxygen Activating Water Soluble Cobalt-Salen Complex for DNA Cleavage. J. Chem. Soc., Chem. Commun., 1995.
✓	Tanaka et al. Synthesis of New Cationic Schiff Base Complexes of Copper(II) and Their Selective Binding with DNA. Bull. Chem. Soc. Jpn., 70, 615-629 (1977).

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
✓	Gravert et al. Steric and Electronic Effects, Enantiospecificity, and Reactive Orientation in DNA Binding/Cleaving by Substituted Derivatives of [SalenMn ^{III}] ⁺ Inorg. Chem. 1996, 35, 4837-4847.						
✓	Gravert et al. Specific DNA Cleavage Mediated by [SalenMn(III)] ⁺ J. Org. Chem. 1993, 58, 820-822						
✓	Cheng et al. Novel Water-Soluble 4,4-Disubstituted Ruthenium(III)-Salen Complexes in DNA Stranded Scission. J. Chin. Chem. Soc. Vol. 45, No. 5 1998.						
✓	Jacquet et al. Photoaddition of Ru(tap) ₂ (bpy) ²⁺ to DNA: A New Mode of Covalent Attachment of Metal Complexes to Duplex DNA. J. Am. Chem. Soc. 1997, 119, 11763-11768.						
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